

**FILED**

JUN 27 2012

EUGENE R. WEDOFF,  
BANKRUPTCY JUDGE

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

In re:

CANOPY FINANCIAL, INC.,

Debtor.

Case No. 09 B 44943

Chapter 7

**FINDINGS OF FACT AND CONCLUSIONS OF LAW IN SUPPORT OF ORDER AWARDING TO  
JENNER & BLOCK LLP, ATTORNEYS FOR TRUSTEE, FOR ALLOWANCE AND PAYMENT OF  
INTERIM COMPENSATION AND REIMBURSEMENT OF EXPENSES**

TOTAL FEES REQUESTED:	<b>\$43,487.50</b>	TOTAL COSTS REQUESTED:	<b>\$2,435.64</b>
TOTAL FEES REDUCED:	<b>\$526.80</b>	TOTAL COSTS REDUCED:	<b>\$0.00</b>
TOTAL FEES ALLOWED:	<b>\$42,960.70</b>	TOTAL COSTS ALLOWED:	<b>\$2,435.64</b>

**TOTAL FEES AND COSTS ALLOWED: \$45,396.34**

The attached time and expense entries have been underlined to reflect disallowance in whole or in part. The basis for each disallowance is reflected by numerical notations that appear on the left of each underlined entry. The numerical notations correspond to the enumerated paragraphs below.

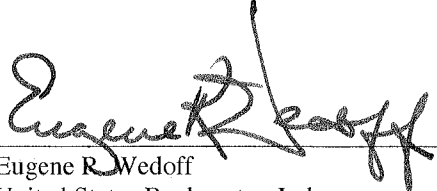
**(7) Lumping**

The Court may impose a ten percent penalty for "lumping." *In re Wildman*, 72 B.R. 700, 709 (Bankr. N.D. Ill. 1987) ("Applicants may not circumvent the minimum time requirement or any of the requirements of detail by "lumping" a bunch of activities into a single entry. [citation omitted]. Each type of service should be listed with the corresponding specific time allotment.").

**(13) No Benefit to the Estate**

The court denies requests for fees relating to services that do not benefit the estate or that are not necessary to the administration of the case. 11 U.S.C. § 330(a)(4)(A). An attorney's internal work prior to retention to determine whether the attorney's firm satisfies the disinterestedness requirement of section 327 of the Bankruptcy Code does not provide benefit to the estate and is not compensable.

Dated: June 27, 2012

  
Eugene R. Wedoff  
United States Bankruptcy Judge

LAW OFFICES

**JENNER & BLOCK LLP**

353 N. CLARK STREET  
CHICAGO, ILLINOIS 60654-3456  
(312) 222-9350

MATTER NUMBER- 10113

FEE APPLICATIONS

	11/30/2011	LSR	2.20	Drafted fifth interim fee application.	957.00	
	12/1/2011	LSR	0.50	Edited fifth fee application.	217.50	
	12/2/2011	VEL	0.40	Edited BIM for fee application.	320.00	
⑦	12/5/2011	VEL	1.00	Edited fee application, prepared redactions for fee application, and email with G. Paloian re filing of same.	800.00	- 80.00
	12/5/2011	MHM	3.50	Worked on finalizing exhibits for fee application.	980.00	
⑦	12/6/2011	VEL	0.60	Reviewed Canopy final draft, emailed edits, prepared redactions.	480.00	- 48.00
⑦	12/6/2011	MHM	2.40	Drafted cover sheet for fifth fee application (.7); drafted proposed order for fifth fee application (.7); <u>proofread fee application and communicated with accounting re approval to file (1.0).</u>	672.00	- \$280.00 x 0.1 = - 28.00
	12/7/2011	VEL	0.40	Reviewed notices, email with M. Matlock re finalizing same.	320.00	
	12/7/2011	MHM	1.60	Revised and proofread notice, draft order and fee application.	448.00	
	12/7/2011	MHM	3.10	Worked on e-filing and service of fee application.	868.00	
	12/7/2011	MXP	3.90	Worked on mailing of notice of hearing on Jenner & Block's fee application to service list.	663.00	
	12/12/2011	VEL	0.20	Email with A. Banas re factual question for Ridgestone preparation.	160.00	
	12/12/2011	MHM	1.00	Worked on revisions to Canopy service of fee application.	280.00	
	12/12/2011	MXP	1.90	Worked on mailing of notice of hearing on Jenner & Block's fee application to service list.	323.00	
	12/12/2011	AMY	1.00	Worked on mailing of notice of hearing on Jenner & Block's fee application to service list.	170.00	
	12/27/2011	MHM	0.60	Prepared, proofread and filed amended certificate of service for notice of hearing.	168.00	

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1/23/2012	VEL	0.20	Telephone conference with J. DeJonker re summary judgment motion in adversary proceedings.	170.00
1/23/2012	PSJ	0.70	Email correspondence with A. Banas and P. McGrath re custodian of records affidavit for Amcore or Harris Bank (.4); conferred with A. Banas re same (.2); reviewed emails from J. McManus re same (.1).	308.00
1/24/2012	PSJ	0.30	Email communications with J. McManus re recovery of judgments and conferred with V. Lazar re same (.2); reviewed emails from G. Paloian and V. Lazar re settlement agreement with M. Hamid and Just Great Seats (.1).	132.00
1/25/2012	VEL	0.20	Emails with A. Banas re enforcement of judgment against Kimberly Blackburn.	170.00
2/17/2012	VEL	0.20	Reviewed Banas sentencing, prepared team email re same.	170.00
2/22/2012	PSJ	0.10	Email correspondence re change in Canopy's bank accounts and settlement payments.	44.00
2/26/2012	PSJ	0.20	Sent emails to Finance 2000, O'Gara, and Marc Hamid's counsel re future settlement payments.	88.00
3/13/2012	PSJ	0.30	Email communications with J. McManus, and counsel for O'Gara Coach Company and Finance 2000 LLC re settlement payments.	132.00
3/21/2012	PSJ	0.30	Conferred with A. Banas re lawsuit against Coldwell Banker (.2); sent email to A. Banas re same (.1)	132.00
4/2/2012	PSJ	0.30	Email correspondence with R. Pinkston re Fifth Third Bank adversary.	132.00
4/2/2012	VEL	0.80	Conference call with Seyfarth team re [REDACTED] [REDACTED]	680.00
⑦ 4/3/2012	VEL	0.40	Reviewed [REDACTED] and conference call with G. Paloian re [REDACTED] [REDACTED]	340.00
4/18/2012	PSJ	0.60	Conferred with A. Banas and R. Pinkston re Fifth Third adversary (.3); email correspondence with R. Pinkston re same (.3).	264.00

-34.00

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2/13/2012	VEL	0.30	Telephone conference with D. Greenwald re Powers settlement terms, [REDACTED]	255.00
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2/14/2012	VEL	0.30	Follow-up emails with D. Greenwald re comments on Powers settlement agreement, [REDACTED]	255.00
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2/22/2012	VEL	0.20	Telephone conference with G. Paloian re update on Powers settlement, GGV tolling.	170.00
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⑬ 3/26/2012	VEL	0.30	Reviewed press re Blackburn suicide, [REDACTED]	255.00
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- 255.00

		23.10	PROFESSIONAL SERVICES	\$14,949.50
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LAKESHORE MOTORS

MATTER NUMBER- 10199

11/1/2011	VEL	0.20	Emails with P. Jacobs re LS hearings, certified check issue.	160.00
11/1/2011	PSJ	0.60	Email correspondence with V. Lazar and G. Wesolowska re E. Rigatos judgment payment (.3); conferred with G. Wesolowska re same (.2); reviewed mail from G. Wesolowska re same (.1).	222.00
11/9/2011	VEL	0.20	Reviewed Rigatos foreclosure notice, email with P. Jacobs re same.	160.00
11/9/2011	PSJ	0.60	Email correspondence with V. Lazar re E. Rigatos foreclosure action (.3); conferred with lawyer for Wells Fargo Bank and E. Rigatos re same (.3).	222.00
11/11/2011	PSJ	0.70	Drafted and revised documents necessary to release judgment liens against E. Rigatos (.5); email correspondence with C. Fernandez re same (.2).	259.00
11/14/2011	PSJ	1.20	Revised and notarized documents to release judgment liens against E. Rigatos (.4); email correspondence with duplicating, M. Matlock, C. Fernandez, and V. Lazar re same (.5); conferred with M. Matlock, D. Simons, and J. Aguilar re same (.3).	444.00
11/14/2011	MHM	0.50	Reviewed and revised form of notice of filing (.2); telephone conferences with D. Simons and P. Simons re form of document for release of judgment (.3).	140.00
⑦ 11/14/2011	VEL	0.20	Reviewed judgment satisfaction and office conference with M. Matlock re same.	160.00 - 16.00
11/16/2011	PSJ	0.30	Reviewed message from Albany Bank re Lakeshore bank accounts (.1); called R. Pinkston re same (.1); email correspondence with R. Pinkston re same (.1).	111.00
11/23/2011	PSJ	0.50	Email communications with C. Fernandez re E. Rigatos foreclosure action (.2); drafted and revised letter re E. Rigatos foreclosure action (.3).	185.00
11/30/2011	PSJ	0.10	Email correspondence with V. Lazar re E. Rigatos Foreclosure Action.	37.00

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JUST GREAT SEATS

MATTER NUMBER- 10229

11/2/2011	PSJ	0.40	Email correspondence with G. Paloian and V. Lazar re settlement payment from M. Hamid (.3); conferred with J. Pollick re same (.1).	148.00
11/3/2011	PSJ	0.30	Email correspondence with G. Paloian re settlement payment from M. Hamid (.2); reviewed message from J. Pollick re same (.1).	111.00
11/8/2011	PSJ	0.10	Reviewed emails from J. McManus re M. Hamid settlement payment.	37.00
⑦ 11/15/2011	PSJ	0.40	Email correspondence with J. McManus and G. Paloian re settlement payment from M. Hamid, reconciliation of same.	148.00 - 14.80
11/30/2011	PSJ	0.10	Sent email to attorneys for M. Hamid and Just Great Seats re change of Canopy's banking institution and future settlement payments.	37.00
⑦ 1/24/2012	VEL	0.30	Telephone conference with M. Phillips re Hamid payment delay, email to G. Paloian re same.	255.00 - 25.50
1/25/2012	VEL	0.20	Reviewed Hamid proposal, forwarded same to G. Paloian with recommendation.	170.00
2/6/2012	VEL	0.20	Emails with M. Phillips re negotiation of update proposal.	170.00
⑦ 2/22/2012	VEL	0.30	Email with M. Phillips re payment history, and telephone conference with G. Paloian re same and settlement/collection instructions.	255.00 - 25.50
2/24/2012	VEL	0.20	Emails with M. Phillips re payment shortfall.	170.00